

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,)	
)	3:06-cr-00063-LRH-RAM
Plaintiff,)	
)	<u>ORDER</u>
vs.)	
)	
RODNEY LAUDERDALE,)	
)	
Defendant.)	
_____)	

Before the court is a letter/motion to the court by the Defendant (#33) in which he seeks relief to adjust the payment schedule of the restitution order entered by the court at sentencing. The court will treat it as a motion. This motion apparently was prompted by the court's previous order in this matter (#31).

In this case, the judgment from sentencing provides, in pertinent part, as follows:

Restitution Obligation - The defendant shall make restitution in the amount of NINETEEN THOUSAND ONE HUNDRED NINETY FOUR DOLLARS (\$19,194.00) pursuant to a payment schedule to be determined by the probation officer. While of [sic] supervised release, restitution shall be paid monthly at the rate of no less than ten percent (10%) of gross income, subject to an adjustment by the Court based upon the ability to pay.

The victims' losses as a result of Defendant's robberies were sizable and the court concludes that the existing restitution order should continue. In his letter/motion, Lauderdale indicates that he can make "minimum acceptable imbursements (sic) of \$25.00 per quarter" while he is in prison.

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1 The court defers to the sound judgment and policies of the Bureau of Prisons. Subject to
2 such deferral, and good cause appearing,

3 It is hereby recommended to the Bureau of Prisons that Defendant's payment schedule,
4 while he is in prison on the sentence imposed herein, shall be at a rate of no less than ten percent
5 (10%) of his gross income or Twenty-five Dollars (\$25.00) per quarter, whichever amount is
6 greater. Upon his release from prison, his restitution obligation during supervised release shall
7 be reinstated to the terms and conditions originally imposed by the court at sentencing.

8 Defendant's motion (#33) is therefore DENIED IN PART and GRANTED IN PART as
9 reflected by this disposition.

10 IT IS SO ORDERED.

11 DATED this 11th day of June, 2008.

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LARRY R. HICKS
15 UNITED STATES DISTRICT JUDGE
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